

Customer No. 27061
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Patent
Attorney Docket No. GEMS8081.152

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Foo et al.
Serial No. : 09/682,685
Filed : October 5, 2001
For : Efficient Multi-Slice Acquisition With Black Blood
Contrast In Fast Spin Echo Imaging
Group Art No. : 3737
Examiner : Smith, Ruth S.

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

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37 CFR 1.8(a)

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Date: June 21, 2007

/Robyn L. Templin/
Signature

Commissioner for Patents
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Alexandria, VA 22313-1450
Attn: Office of Petitions

REQUEST FOR RECONSIDERATION OF:
PETITION UNDER 37 C.F.R. 1.183
REQUESTING WAIVER OF REQUIREMENTS OF 37 C.F.R. §1.48(a) AND
DECLARATION IN SUPPORT THEREOF

Applicant hereby renews the Petition filed on November 29, 2006, pursuant to 37 C.F.R. §1.183, for waiver of the requirement under 37 C.F.R. §1.48(a) that a correction of inventorship must include a statement of a lack of deceptive invent from each inventor to be deleted.

REMARKS

Applicant is presently unable to locate inadvertently-listed inventor H. David He to obtain a statement that he was included as an inventor without deceptive intent. Since Applicant believes that H. David He is likely unaware that he has mistakenly been listed as an inventor for the present application, Applicant believes that an extraordinary situation exists in which justice would be served by accepting Applicant's Petition to Correct Inventorship under §1.48(a) without a statement of deceptive intent from H. David He. No assignment was executed for the present application by the original named inventors. The assignment on record was signed by the correct inventors, Thomas Foo and Zahi Fayad.

In continuing searches subsequent to the filing of the original Petition Under §1.183, Applicant's representative has finally located and obtained a signature from Tin-su Pan. However, these same continuing searches have not uncovered current contact information for H. David He. Moreover, given that Mr. He's last name is also a common pronoun, it is believed unlikely that future internet searches will be of further avail. Therefore, a Supplemental Statement of Deleted Inventors has been submitted herewith, having the signatures of Steven Woloschek and Tin-su Pan, but not H. David He. The signatures of both of the inventors to be added and two of the three inventors to be deleted are now submitted.

In addition, included below, please find a Declaration of Atty. Stephen J. Gardner in support of this Renewed Petition for Waiver of the Requirements of § 1.48(a). A petition for a two-month extension of time and the associated fee are also filed herewith; however no fees are believed to be due for the Request for Reconsideration of Petition or the Supplemental Statement of Deleted Inventors.

DECLARATION

I, Stephen J. Gardner, being duly sworn, depose and say:

1. That I am an Attorney of Record for the above-identified Patent Application;

2. That I have confirmed with staff of the Ziolkowski Patent Solutions Group law firm that the oath/declaration having the names: Steven Woloschek, Tin-su Pan, and H. David He, was inadvertently filed with the present application due to a clerical mistake.

3. That I attempted to contact H. David He via telephone, but was unsuccessful. It seems that Mr. He's last known phone number is no longer in use.

4. That I attempted to contact H. David He via email, but was unsuccessful. All of such emails were returned as undeliverable.

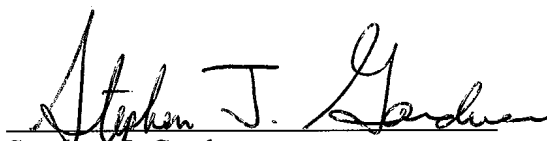
5. That I attempted to find current contact information for H. David He via internet searches and phone number searches, but was unsuccessful.

6. That I contacted representatives of the Assignee, including inadvertently-listed inventor Steven Woloschek, concerning current contact information for H. David He, but still have been unable to find Mr. He.

7. Attached as Exhibit A are copies of email correspondence made in an attempt to locate H. David He.

8. Attached as Exhibit B are copies of internet searches conducted in an attempt to locate H. David He.

9. That the statements made herein are of my own knowledge and are true and made on information and belief that is believed to be true.



Stephen J. Gardner
Registration No. 59,057
Phone: 262-268-8100, Ext. 17
sjg@zpspatents.com



Dated

Attorney Docket No.: GEMS8081.152

P.O. ADDRESS:

Ziolkowski Patent Solutions Group, SC
136 South Wisconsin Street
Port Washington, WI 53074
Phone: 262-268-8100
Fax: 262-268-8185

EXHIBIT A

2006.11.28 Lynn Darnell RE Missing GE Inventors.txt
Missing GE InventorsFrom: Darnell, Lynn (GE Healthcare) [REDACTED]
Sent: Tuesday, November 28, 2006 8:54 AM
To: Steve Gardner
Subject: RE: Missing GE Inventors

Hi Steve,
If the third inventor does not have contact information I would file a waiver. I do not have any way of locating past employees.
Thanks,
Lynn

From: Steve Gardner [mailto:sjg@zpspatents.com]
Sent: Monday, November 27, 2006 4:05 PM
To: Darnell, Lynn (GE Healthcare)
Subject: Missing GE Inventors

Hi Lynn,

I'm trying to track down two inventors who I suspect may have left GE. Tin-su Pan and David He were co-inventors on docket no. 15-CT-6105 / GEMS8081.099 (System and Method of Imaging Using a Variable Speed Table for Thorax Imaging). I have already been in touch with the third inventor, Steve Woloschek, but he hasn't come up with any contact information.

I'm just checking to see if you have any forwarding information or if you know of anyone else who may. I would like to file a waiver for their signatures if we absolutely can't find them.

Thanks,
Steve Gardner

From: Steve Gardner
Sent: Friday, November 17, 2006 2:06 PM
To: 'tinsu.pan@med.ge.com'; [REDACTED]
Subject: GEMS Patent Application

Steve and Tin-su,

After the patent application on your "variable-speed table for thorax imaging" invention was filed, the declaration you signed for your invention was inadvertently copied into the filing submission for a subsequent GEMS patent application. Thus, at present, you are mistakenly listed as the inventors of another invention. Per the patent regulations, in order to correct this subsequent patent application, I must include a statement from you attesting that this mistake was not done with any deceptive intent on your part. Please read the attached statement, and if you agree with it, sign it and fax or email it to me. You may sign and send copies individually - you do not have to all sign the same sheet.

Also, we no longer have an email address for David He. If you are aware of his email address, or know someone who may be aware of it, please inform me.

Thank you for your assistance with this matter.

Steve Gardner
<<2006.11.20 Statement of Deleted Inventors.doc>>
Stephen J. Gardner, CE JD
Ziolkowski Patent Solutions Group, SC
136 South Wisconsin Street
Port Washington WI 53074

2006.11.28 Lynn Darnell RE Missing GE Inventors.txt
Phone: 262-268-8100, Ext 17
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From: System Administrator
Sent: Wednesday, June 20, 2007 10:45:30 PM
To: Steve Gardner
Subject: Undeliverable: Patent Application

Attachments:
<Patent Application.msg>

Your message

To: david.he@ge.com; h.david.he@ge.com; hui.he@ge.com; hui.david.he@ge.com
Subject: Patent Application
Sent: wed, 20 Jun 2007 14:47:35 -0400

did not reach the following recipient(s):

DAVID.HE@GE.COM on wed, 20 Jun 2007 14:52:19 -0400
The recipient name is not recognized
The MTS-ID of the original message is:
c=us;a=mark400;p=ge;l=IMC0706201852NJHKS8MP
MSEXCH:IMS:GE:ALPHARETTA:CIN01SSBHMAILGE 0 (000C05A6) Unknown Recipient
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The MTS-ID of the original message is:
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HUI.DAVID.HE@GE.COM on wed, 20 Jun 2007 14:52:19 -0400
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Information About the UYIP Mailing List Mark H. David May 24, 1996 ...

The moderator is Mark **H. David He** produces the Yiddish language radio show, "Dos Yidishe Kol", information about which is available at <http://www.yv.org/>. ...
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Phys. Rev. B 43, 12296 (1991): Lamelas et al. - Numerical modeling ...

VOLUME 43, NUMBER 15 Numerical modeling of superlattice x-ray-scattering intensities F. J. Lamelas, * **H. David He**, and Roy Clarke Department of Physics, ...
link.aps.org/doi/10.1103/PhysRevB.43.12296 - Similar pages - Note this

Phys. Rev. B 51, 3549 (1995): Naik et al. - Strain-induced ...

F. J. Lamelas, **H. David He** and Roy Clarke, Phys. Rev. B 43, 12296 (1991). S. Chikazumi and S. H. Charap, Physics of Magnetism (Wiley, New York, 1964). ...
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"We see cardiovascular imaging as one of the fastest clinical procedure and application growth areas," said **H. David He**, Ph.D., who manages GE Medical ...
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H. David He, Ph.D., manager of CT cardiology business at GE Medical Systems: "CT has traditionally been the modality of choice in radiology, and I would bet ...
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Performance evaluation of a multi-slice CT system—[Medical Physics ...

The authors would like to thank Dr. Timothy J. Welch for his assistance in determining optimal clinical exam parameters, and Dr. **H. David He** and Mr. Sholom ...
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Hui Hu, **H. David He**, W. Dennis Foley, and Stanley H. Fox: Four Multidetector-Row Helical CT: Image Quality and Volume Coverage Speed ...
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Hui Hu, **H David He**, W Dennis Foley, Stanley H Fox radiology 215:11, 55-62, 2000.
PURPOSE: To evaluate the imaging performance characteristics of four ...
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Hu, PhD, **H. David He**, PhD, W. Dennis Foley, MD, Stanley H. Fox, PhD. ...

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"H. David He"

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